

**Assembly Bill No. 2063**

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Passed the Assembly    August 15, 2002

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*Chief Clerk of the Assembly*

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Passed the Senate    August 8, 2002

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day of  
\_\_\_\_\_, 2002, at \_\_\_\_\_ o'clock \_\_M.

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*Private Secretary of the Governor*

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## CHAPTER \_\_\_\_\_

An act to add Sections 31621.31, 31621.32, 31639.27, 31639.28, 31664.21, 31676.20, 31727.11, and 31727.21 to the Government Code, relating to county employees' retirement.

## LEGISLATIVE COUNSEL'S DIGEST

AB 2063, Reyes. County employees' retirement: benefits.

Under the County Employees Retirement Law of 1937, service retirement benefits for safety members are based on a 2% at age 50 formula, and those benefits for nonsafety members are based on one of several specified formulas adopted by the county board of supervisors.

This bill would authorize the board of supervisors in Fresno County to adopt a 2.5% at age 50 formula for safety members and a 2.5% at age 55 formula for nonsafety members in that county, to adopt corresponding contribution rates or to apply a single rate of contributions, and to establish nonservice-connected disability retirement allowances for those members, as specified.

*The people of the State of California do enact as follows:*

SECTION 1. Section 31621.31 is added to the Government Code, to read:

31621.31. (a) In adopting Section 31676.20, the normal rates of contribution, except for members covered by Article 6.8 (commencing with Section 31639) of this chapter, shall be rates that provide an average annuity at age 55 years equal to the fraction of one-one hundred sixtieth of the final compensation of members not covered by Article 6.8, according to the tables adopted by the board of supervisors, for each year of service rendered after entering this system.

(b) This section may be made applicable to Fresno County on the first day of the month after the board of supervisors of the county adopts, by majority vote, a resolution adopting this section.

SEC. 2. Section 31621.32 is added to the Government Code, to read:

31621.32. Instead of the normal rates of contribution required by Section 31621.31, the board of supervisors may, upon actuarial



advice, establish a single rate of contribution applicable to all persons becoming members after this section is made operative in that county by the board of supervisors. However, this rate shall be established to provide the average annuity described in Section 31621.31.

SEC. 3. Section 31639.27 is added to the Government Code, to read:

31639.27. The normal rates of contribution in Fresno County shall be rates that will provide an average annuity at age 50 years equal to the fraction of one-one hundred sixtieth of the final compensation of safety members, according to the table adopted by the board of supervisors, for each year of service rendered after entering the system.

SEC. 4. Section 31639.28 is added to the Government Code, to read:

31639.28. Instead of the normal rate of contribution required by Section 31639.27, the board of supervisors may, upon actuarial advice, establish a single rate of contribution applicable to all persons becoming members after this section is made operative in that county by the board of supervisors. However, this rate shall be established to provide the average annuity described in Section 31639.27.

SEC. 5. Section 31664.21 is added to the Government Code, to read:

31664.21. (a) Notwithstanding any other provisions of this chapter, the current service pension or the current service pension combined with the prior service pension is an additional pension for safety members purchased by the contributions of the county or district sufficient when added to the service retirement annuity to equal the fraction of one-fortieth of the member's final compensation set forth opposite his or her age at retirement taken to the preceding completed quarter year in the following table, multiplied by the number of years of current service or years of current and prior service with which the member is entitled to be credited at retirement, but in no event shall the total retirement allowance exceed the limitation of the safety member's final compensation as set forth in Section 31676.1 as it now reads or may hereafter be amended to read:



Age at Retirement	Fraction
41 .....	.6258
41 <sup>1</sup> / <sub>4</sub> .....	.6350
41 <sup>1</sup> / <sub>2</sub> .....	.6442
41 <sup>3</sup> / <sub>4</sub> .....	.6533
42 .....	.6625
42 <sup>1</sup> / <sub>4</sub> .....	.6720
42 <sup>1</sup> / <sub>2</sub> .....	.6814
42 <sup>3</sup> / <sub>4</sub> .....	.6909
43 .....	.7004
43 <sup>1</sup> / <sub>4</sub> .....	.7102
43 <sup>1</sup> / <sub>2</sub> .....	.7200
43 <sup>3</sup> / <sub>4</sub> .....	.7299
44 .....	.7397
44 <sup>1</sup> / <sub>4</sub> .....	.7499
44 <sup>1</sup> / <sub>2</sub> .....	.7601
44 <sup>3</sup> / <sub>4</sub> .....	.7703
45 .....	.7805
45 <sup>1</sup> / <sub>4</sub> .....	.7910
45 <sup>1</sup> / <sub>2</sub> .....	.8016
45 <sup>3</sup> / <sub>4</sub> .....	.8121
46 .....	.8226
46 <sup>1</sup> / <sub>4</sub> .....	.8339
46 <sup>1</sup> / <sub>2</sub> .....	.8452
46 <sup>3</sup> / <sub>4</sub> .....	.8566
47 .....	.8678
47 <sup>1</sup> / <sub>4</sub> .....	.8780
47 <sup>1</sup> / <sub>2</sub> .....	.8882
47 <sup>3</sup> / <sub>4</sub> .....	.8983
48 .....	.9085
48 <sup>1</sup> / <sub>4</sub> .....	.9194
48 <sup>1</sup> / <sub>2</sub> .....	.9304
48 <sup>3</sup> / <sub>4</sub> .....	.9413
49 .....	.9522
49 <sup>1</sup> / <sub>4</sub> .....	.9641
49 <sup>1</sup> / <sub>2</sub> .....	.9761
49 <sup>3</sup> / <sub>4</sub> .....	.9880
50 .....	1.0000
50 <sup>1</sup> / <sub>4</sub> .....	1.0130
50 <sup>1</sup> / <sub>2</sub> .....	1.0259



50 <sup>3</sup> / <sub>4</sub>	1.0387
51	1.0516
51 <sup>1</sup> / <sub>4</sub>	1.0656
51 <sup>1</sup> / <sub>2</sub>	1.0796
51 <sup>3</sup> / <sub>4</sub>	1.0937
52	1.1078
52 <sup>1</sup> / <sub>4</sub>	1.1231
52 <sup>1</sup> / <sub>2</sub>	1.1384
52 <sup>3</sup> / <sub>4</sub>	1.1538
53	1.1692
53 <sup>1</sup> / <sub>4</sub>	1.1859
53 <sup>1</sup> / <sub>2</sub>	1.2028
53 <sup>3</sup> / <sub>4</sub>	1.2195
54	1.2366
54 <sup>1</sup> / <sub>4</sub>	1.2547
54 <sup>1</sup> / <sub>2</sub>	1.2730
54 <sup>3</sup> / <sub>4</sub>	1.2915
55 and over	1.3099

(b) Contributions shall not be made by safety members having credit for 30 years of continuous service.

(c) This section shall apply to Fresno County only and is not operative in that county until the board of supervisors, by resolution, makes this section applicable.

SEC. 6. Section 31676.20 is added to the Government Code, to read:

31676.20. (a) Notwithstanding any other provisions of this chapter, the current service pension or the current service pension combined with the prior service pension is an additional pension for members purchased by the contributions of the county or district sufficient, when added to the service retirement annuity, to equal the fraction of one-fortieth of the member's final compensation set forth opposite the member's age at retirement, taken to the preceding completed quarter year, in the following table multiplied by the number of years of current service or years of current and prior service with which the member is entitled to be credited at retirement, but in no event shall the total retirement allowance exceed the member's final compensation.



Age at Retirement	Fraction
50	.7454
50 <sup>1</sup> / <sub>4</sub>	.7561
50 <sup>1</sup> / <sub>2</sub>	.7668
50 <sup>3</sup> / <sub>4</sub>	.7775
51	.7882
51 <sup>1</sup> / <sub>4</sub>	.7998
51 <sup>1</sup> / <sub>2</sub>	.8114
51 <sup>3</sup> / <sub>4</sub>	.8230
52	.8346
52 <sup>1</sup> / <sub>4</sub>	.8472
52 <sup>1</sup> / <sub>2</sub>	.8598
52 <sup>3</sup> / <sub>4</sub>	.8724
53	.8850
53 <sup>1</sup> / <sub>4</sub>	.8987
53 <sup>1</sup> / <sub>2</sub>	.9125
53 <sup>3</sup> / <sub>4</sub>	.9262
54	.9399
54 <sup>1</sup> / <sub>4</sub>	.9549
54 <sup>1</sup> / <sub>2</sub>	.9699
54 <sup>3</sup> / <sub>4</sub>	.9849
55	1.0000
55 <sup>1</sup> / <sub>4</sub>	1.0111
55 <sup>1</sup> / <sub>2</sub>	1.0223
55 <sup>3</sup> / <sub>4</sub>	1.0335
56	1.0447
56 <sup>1</sup> / <sub>4</sub>	1.0597
56 <sup>1</sup> / <sub>2</sub>	1.0747
56 <sup>3</sup> / <sub>4</sub>	1.0898
57	1.1048
57 <sup>1</sup> / <sub>4</sub>	1.1207
57 <sup>1</sup> / <sub>2</sub>	1.1367
57 <sup>3</sup> / <sub>4</sub>	1.1526
58	1.1686
58 <sup>1</sup> / <sub>4</sub>	1.1855
58 <sup>1</sup> / <sub>2</sub>	1.2025
58 <sup>3</sup> / <sub>4</sub>	1.2195
59	1.2365
59 <sup>1</sup> / <sub>4</sub>	1.2547
59 <sup>1</sup> / <sub>2</sub>	1.2729



59 <sup>3</sup> / <sub>4</sub> .....	1.2911
60 and over .....	1.3093

(b) Wherever in this chapter reference is made to survivorship benefits and rights under Section 31676.1, the same shall apply to this section.

(d) This section shall apply to Fresno County only and shall not be operative in that county until the board of supervisors, by resolution, makes this section applicable.

SEC. 7. Section 31727.11 is added to the Government Code, to read:

31727.11. In counties adopting Section 31676.20, upon retirement for nonservice-connected disability, a member who has attained the age of 62 years shall receive a service retirement allowance.

The nonservice-connected disability retirement pension for a member under the age of 62 years shall be an amount that, with the portion of the member's annuity provided by his or her accumulated normal contributions, will make his or her disability retirement allowance equal to:

(a) Ninety percent of one-fortieth of his or her final compensation multiplied by the number of years of service credited to him or her, if either the member must rely upon service in another retirement system in order to be eligible to retire, or the disability retirement allowance exceeds one-third of his or her final compensation.

(b) If the member is eligible to retire without relying upon service in another retirement system and the disability retirement allowance computed under subdivision (a) does not exceed one-third of his or her final compensation, 90 percent of one-fortieth of his or her final compensation multiplied by the number of years of service which would be creditable to him or her if his or her service continued until the age of 62 years, but in that case the retirement allowance may not exceed one-third of his or her final compensation.

SEC. 8. Section 31727.21 is added to the Government Code, to read:

31727.21. In counties adopting Section 31664.21, the nonservice-connected disability retirement pension for a safety member shall be an amount that, with the portion of his or her



annuity provided by his or her accumulated normal contributions, will make his or her disability retirement allowance equal to:

(a) Ninety percent of one-fortieth of his or her final compensation multiplied by the number of years of service credited to him or her, if either the member must rely upon service in another retirement system in order to be eligible to retire, or the disability retirement allowance exceeds one-third of his or her final compensation.

(b) If the member is eligible to retire without relying upon service in another retirement system and the disability retirement allowance computed under subdivision (a) does not exceed one-third of his or her final compensation, 90 percent of one-fortieth of his or her final compensation multiplied by the number of years of service which would be creditable to him or her if his or her service continued until the age of 55 years, but in that case the retirement allowance may not exceed one-third of his or her final compensation.





Approved \_\_\_\_\_, 2002

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*Governor*

